

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

STEPHEN W. PERKINS, NORMAN  
STOEHR, CATHERINE STOEHR, DAVID  
SCHAPIRO, STACEY SCHAPIRO,  
MARIELLEN BAKER, SAN SOO WESLY  
PARK, WILLIAM WHETSTONE,  
RICHARD LUCKETT, MARK NATHAN,  
MATTHEW DELANEY, PETER  
NATHAN, LOIS NATHAN, JOHN D.  
WILGEROTH, KERRY B. HOGGARD,  
MIKE BERKLEY, DAVID GOLDBERG,  
PAUL BRAOUDAKIS, AARON  
LAMBERT, KIMBERLY QUAN, STUART  
SCHAPIRO, JOAN SCHAPIRO, JAMES B.  
BLACK, *and all others similarly situated*,

Plaintiffs,

v.

VERIFIED IDENTITY PASS, INC., and  
Doe Defendants 1-25.

Defendants.

Civil Action No: 09-CV-05951-RJH

WILLIAM POLESE, Individually And On  
Behalf Of All Persons Similarly Situated,

Plaintiffs,

v.

VERIFIED IDENTITY PASS, INC., and  
DOES 1-50.

Defendants.

Civil Action No: 09-CV-06416-RJH

MARILYN MEDDLES, on behalf of herself  
and all others similarly situated,

Plaintiffs,

v.

VERIFIED IDENTITY PASS, INC., and  
JOHN DOES 1-20.

Defendants.

Civil Action No: 09-CV-6669

BLAIR C. FENSTERSTOCK,  
CONSTANCE J. THOMAS, a.k.a.  
CONSTANCE J. FENSTERSTOCK, *and*  
*all others similarly situated,*

Plaintiff,

-against-

VERIFIED IDENTITY PASS, INC.,  
STEVEN BRILL, and DOE DEFENDANTS  
1-25

Defendant.

Civil Action No.: 09-CV-6670

ROBERT I. HARWOOD, on behalf of  
himself and all others similarly situated

Plaintiff,

-against-

VERIFIED IDENTITY PASS, INC.,

Defendant.

Civil Action No: 09-CV-6678

LEE FRIEDMAN, KENNETH  
GREENBERG, MARCEL KUNZ, AND  
JOHN G. REAMS, Individually And On  
Behalf Of All Persons Similarly Situated,

Plaintiffs,

v.

VERIFIED IDENTITY PASS, INC., and  
DOES 1-50.

Defendants.

**Civil Action No: 09-CV-6694**

DELMAR S. DUKES, on behalf of himself  
and all others similarly situated

Plaintiff,

-against-

VERIFIED IDENTITY PASS, INC.,

Defendant.

Civil Action No: 09-CV-6947

**NOTICE OF MOTION AND MOTION TO CONSOLIDATE RELATED ACTIONS  
AND FOR APPOINTMENT OF CO-LEAD COUNSEL**

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that plaintiffs Lee Friedman, Kenneth Greenberg, Marcel Kunz, John G. Reams and William Polese (“Movants”), by their counsel, will hereby move this Court on a date and such time as may be designated by the Court, located at 500 Pear Street, New York, NY 10007-1312, for an Order: (i) consolidating the above-captioned related actions for all purposes pursuant to Fed. R. Civ. P. 42(a); and (ii) appointing the law firms of Faruqi & Faruqi, LLP and Glancy Binkow & Goldberg, LLP as Co-Lead Counsel for Movants and the proposed class.

In support of this Motion, Movants submit herewith the following: (i) Memorandum of Law in Support of Motion to Consolidate Related Class Actions and for Appointment of Co-Lead Counsel; (ii) Declaration of Katherine Den Bleyker in Support Thereof; and (iii) [Proposed] Order.

Dated: August 10, 2009

**GLANCY BINKOW & GOLDBERG LLP**

By: s/ Katherine Den Bleyker  
Katherine Den Bleyker

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*Counsel for Movants*

**PROOF OF SERVICE BY MAIL**

I, the undersigned, say:

I am a citizen of the United States and am employed in the office of a member of the Bar of this Court. I am over the age of 18 and not a party to the within action. My business address is 1801 Avenue of the Stars, Suite 311, Los Angeles, California 90067.

On August 10, 2009 , I served the following:

- 1     **NOTICE OF MOTION AND MOTION TO CONSOLIDATE  
RELATED ACTIONS  
AND FOR APPOINTMENT OF CO-LEAD COUNSEL**
- 2     **MEMORANDUM OF POINTS AND AUTHORITIES IN  
SUPPORT OF MOTION TO CONSOLIDATE RELATED  
ACTIONS AND FOR APPOINTMENT OF CO-LEAD COUNSEL**
- 3     **DECLARATION OF KATHERINE DEN BLEYKER IN  
SUPPORT OF MOTION TO CONSOLIDATE RELATED  
ACTIONS AND FOR  
APPOINTMENT OF CO-LEAD COUNSEL**
- 4     **[PROPOSED] ORDER REGARDING MOTION TO  
CONSOLIDATE RELATED ACTIONS AND FOR  
APPOINTMENT OF CO-LEAD COUNSEL**

on the parties shown below by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid in the United States mail at Los Angeles, California.

**SEE ATTACHED SERVICE LIST**

<p>Christine Marie Fox Kaplan Fox &amp; Kilsheimer, LLP(CA) 850 Third Avenue New York, NY 10022 (212)-687-1980 (415)772-4707 (fax) <a href="mailto:cfox@kaplanfox.com">cfox@kaplanfox.com</a></p> <p>Ronen Sarraf Sarraf Gentile, LLP 116 John Street Suite 2310 New York, NY 10038 (212) 868-3610 (212) 918-7967 (fax) <a href="mailto:ronen@sarrafgentile.com">ronen@sarrafgentile.com</a></p> <p>Blair Courtney Fensterstock Fensterstock &amp; Partners LLP 30 Wall Street New York City, NY 10013 (212) 785-4100 (212) 785-4040 (fax) <a href="mailto:bfensterstock@fensterstock.com">bfensterstock@fensterstock.com</a></p> <p>Lee Squitieri Squitieri &amp; Fearon, LLP 32 East 57th Street 12th Floor New York, NY 10022 (212) 421-6492 (212) 421-6553 (fax)</p> <p>Daniel Robert Lapinski Wilentz, Goldman &amp; Spitzer, P. A.(NJ) 110 William Street 26th floor New York, NY 10038-3901 212-267-3091 212-267-3828 (fax) <a href="mailto:dlapinski@wilentz.com">dlapinski@wilentz.com</a></p>	<p>Vahn Alexander Faruqi &amp; Faruqi LLP 1901 Avenue of the Stars, Second Floor Los Angeles, CA 90067 310-461-1426 310-461-1427 (fax)</p> <p>David Howard Leventhal Faruqi &amp; Faruqi, LLP 369 Lexington Avenue 10th Floor New York, NY 10017 (212)983-9330 (212) 983-9331 (fax) <a href="mailto:dleventhal@faruqilaw.com">dleventhal@faruqilaw.com</a></p> <p>Paul Robert Niehaus Niehaus LLP 1359 Broadway Suite 2001 New York, NY 10018 (212) 621-0233 (212) 621-0233 (fax) <a href="mailto:pniehaus@niehausllp.com">pniehaus@niehausllp.com</a></p> <p>Howard L. Vickery, II Boies, Schiller &amp; Flexner, LLP(NYC) 575 Lexington Avenue, 7th floor New York, NY 10022 (212)446-2300 (212)446-2350 (fax) <a href="mailto:hvickery@bsflp.com">hvickery@bsflp.com</a></p>
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Executed on August 10, 2009, at Los Angeles, California.

I certify under penalty of perjury that the foregoing is true and correct.

*/s/ Sasha A. Radcliffe*

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Sasha A. Radcliffe